**S.B.CRIMINAL MISC. II BAIL APPLICATION NO.2278/2007**

Date : 16.07.2007

**HON'BLE MR. SATYA PRAKASH PATHAK, J.**

Mr. S.S. Shakatwat for the applicant.
Mr. L.R. Upadhyaya, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant contends that in this case this Court passed an order while rejecting S.B. Criminal Misc. Bail Application No.3104/2006 to the effect that the trial court to expedite the trial but the same has not yet been concluded. Submission of learned counsel is that since long the accused applicant is jail, his matter should be considered for bail.

On the other hand, learned Public Prosecutor submits that it is a case where the accused was apprehended by the police party on receiving a secret information that the accused would carry contraband material. Thus in this position, the arrest was made and the contraband material above commercial quantity was recovered from the applicant. He submits that earlier bail

application has been rejected, therefore, there is no reason to grant bail to the accused applicant.

I have considered the submissions made before me.

It is correct that more than one year has passed after passing of the order rejecting the bail application referred to above. In the facts and circumstances of the case, I do not feel inclined to grant bail to the accused applicant but at the same time, I deem it proper to give direction to learned trial court to speedily proceed with the trial and dispose of the same within four months.

With the above observation, the bail application stands rejected.

**(SATYA PRAKASH PATHAK), J.**

**vij**